

**North Platte Natural Resources  
District Board of Directors Meeting**

**August 13, 2020**

The regular meeting of the North Platte Natural Resources District (NRD) Board of Directors was called to order at 3:00 p.m. MDT, August 13, 2020, by Kent Andreas at the North Platte NRD Conference room, 100547 Airport Road, Scottsbluff, Nebraska (Agenda item #1). Notice of the meeting was given to the public by publishing a legal notice in the August 6, 2020, Scottsbluff *Star-Herald*. Andreas informed meeting attendees that this meeting would be conducted in accordance with the Open Meetings Act, a copy of which is posted in the meeting room for public inspection (Agenda item #2).

Board members present: Kent Andreas, Dave Deines, Roger Eirich, Chuck Henkel, Pete Lapaseotes, Ryan Reuter, Dan Weinreis and Mark Westphal. Board members absent: Gary Darnall. Others present: John Berge, Barb Cross, Scott Schaneman of NPNRD staff; Sarah Gray, NRCS District Conservationist; Thad Kuntz, Adaptive Resources, Inc; Steve Smith, Simmons Olson Law Firm.

The following items of informational material were made available to the Directors electronically prior the Board Meeting:

1. Meeting Notice
2. Agenda - Draft
3. Minutes, North Platte Natural Resources District, July 9, 2020
4. Preliminary Treasurers Report
5. Manager's Report with attachments
6. Memo – NPNRD Office Operations Update
7. Memo – Larm Insurance Proposal
8. Memo – FY-2021 Budget and Tax Request

9. Memo – Ash Creek

10. Memo – Potential Board Policy Changes

The following items were provided to the Directors at the Board Meeting:

1. Agenda - Final
2. Minutes, North Platte Natural Resources District, District Board of Director’s Meeting, July 9, 2020.
3. Treasurer’s Report
4. Manager’s Report with attachments
5. Memo – NPNRD Office Operations Update
6. Memo – Larm Insurance Proposal
7. Memo – FY-2021 Budget and Tax Request
8. Memo – Ash Creek
9. Memo – Potential Board Policy Changes

### **3. Approval of Minutes of Previous Meeting**

The Board reviewed the minutes of the July 9, 2020, regular Board meeting.

Moved by Reuter, seconded by Lapaseotes, to approve the minutes of the July 9, 2020 regular Board meeting. Motion passed.

Ayes: Andreas, Deines, Lapaseotes, Reuter, Weinreis

Nay: none

Abstain: Eirich, Henkel, Westphal

Absent: Darnall

### **4. Treasurer’s Report and Accounts Payable**

Ryan Reuter reviewed the Treasurer’s report with the Board. Motion made by Weinreis, seconded by Henkel, to accept the Treasurer’s report and pay the bills as listed. Motion passed.

Ayes: Andreas, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: none

Abstain: none

Absent: Darnall

## **5. Comments from the Public**

None

## **6. Manager's Report**

General Manager John Berge highlighted his report as follows:

NOTE – there are three reports attached to this document for your review and information.

They are tabbed 6a, 6b and 6c:

- VRI Study Report by the University of Nebraska-Lincoln
- Artificial Intelligence Study (remote meter reading) by the University of Nebraska-Lincoln
- Master Planning Survey of the Staff

Administrative:

- Audit – Dana Cole Company has commenced our audit in a virtual environment, utilizing our accounting software's web-based platform. I did hear from Doug Millay, our principal auditor, that he would like to schedule some in-office time with our administrative staff to deal with any issues that may come up in their first look at the books. He will also be helping us with our beginning balances prior to the budget hearing in September.
- Budget Process – later in this agenda, you will be considering whether to send our budget to hearing in September. I have included a copy of our budget spreadsheets for your review and have sent them out well in advance of this meeting. We anticipate

receiving our tax valuation statements from all our counties next week and will complete all calculations related to property tax asking and mill levy.

- Payroll Holiday – On Friday, August 7, President Trump signed an executive order providing a “payroll tax holiday” for workers making less than \$104,000 per year. We are awaiting guidance for implementation of this tax holiday, which should occur in the coming weeks. There are several questions with the order that would include the potential for payback of these payroll taxes in ensuing years for the employee. The District is still liable for our portion of payroll taxes.
- COVID – Operating Plans – During the July Board meeting, the Board granted me the authority to modify or not modify our operating plans in response to the ongoing public health emergency. We will continue to operate in the way we are currently operating.
  - 1) Open to public by appointment only.
  - 2) Masks required worn by staff when social distancing is not possible.
  - 3) Masks and hand sanitizer are provided to the Board and public and they are encouraged to use them.
  - 4) Staggered work schedules of staff, ensuring that there are no more than 8-10 people in our office at any one time.
  - 5) We have purchased a no-touch thermometer for use.
  - 6) Staff are required to stay home when ill.
  - 7) Administrative leave has been granted to deal with family responsibility or quarantine responsibility as a result of COVID exposure.
  - 8) We are reviewing our operating procedures and ventilation capabilities to mitigate the effects of COVID and/or cold and flu season this fall and winter.

- Flu Shots and Blood Draws – we will again be contracting with Regional West Medical Center to provide flu shots and blood screenings to our employees. These activities generally happen in October.

#### Projects and Programs:

- Hazard Mitigation Planning – We are awaiting word on our application for funding from the Federal Emergency Management Agency (FEMA) for our required Hazard Mitigation Planning Process. We anticipate positive word on our funding by the end of October.
- High Hazard Dam – Dam B is now a high hazard dam. It is located on the north side of the Wildcat Hills, just off Hwy 71.
- Upper Platte Grand Plan – Barb, Steve and I continue to be involved in discussions with South Platte, Central Platte, Twin Platte, and Tri-Basin NRDs in addition to the Central Nebraska Public Power and Irrigation District and Nebraska Public Power District.

### **7. Legislative Update**

The during the last day of the legislature, they passed the “grand plan” on taxes. A lot of the monies will go toward business incentives. The bill creates a 700 million hole in the next biennium. Senator John Stinner was one of the architects of the plan.

### **8. NPNRD Office Operations Update**

The ventilation system in the office is being inspected. They are reviewing the age of the furnace and air conditioning systems. There is a detailed summary in the Managers Report. The office will continue to be closed to the public and open by appointment only. We are up ticking our outreach. This office normally presents information to approximately 5,000

students every year. Different options are being considered to continue the education process. Zoom is one of the options being considered.

## **9. Discussion of the LARM Insurance Renewal Proposal for 2020 – 2021**

LARM (our risk management holder) voted to not continue policies for NRD's. They have been good to work with and the rates have been good. LARM is afraid that they could have claims and lawsuits if we do not get the water we are required to put down the river. This year's bill is \$59,366.00. It is year two of a three-year contract. Our agent is a broker and he will be helping to find a different insurance company.

## **10. Discussion of the FY 2021 Budget**

Top line information – Berge wants a flat budget. There is an increase in salary expense for vacation buyouts. That is the only increase in salary expenses. Benefits went up five percent and that has been accounted for. A summary of the cuts in expenses is listed on a line by line basis in the FY-20201 Budget and Tax Request memo. The increases listed on the same memo are for future expenses. The biggest item is the \$100,000.00 for the OA/FA contingency fund. If it is not used, this would cover NPNRD's share of the "grand plan". Everything is flat with reductions. Our budget has been reduced by two million dollars over the last three years. The budget submitted for your consideration is designed to build back some of the reserves that have been depleted.

### **a. Consideration of Referral of FY 20201 Budget for Hearing on September 10, 2020.**

Berge is asking the Board to refer the budget for hearing on September 10, 2020.

*Moved by Reuter, seconded by Eirich to refer the FY 2021 Budget to hearing on September 10, 2020. Motion passed.*

Ayes: Andreas, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: none

Abstain: none

Absent: Darnall

**b. Consideration of Referral of FY 2021 Tax Request for Hearing on September 10, 2020.**

Moved by Eirich, seconded by Reuter to refer the FY 2021 Tax Request for hearing on September 10, 2020. Motion passed.

Ayes: Andreas, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: none

Abstain: none

Absent: Darnall

**11. Consideration of Referral of Ash Creek Question to the Water Resources Committee for Review.**

When the rules were amended a year ago, the potential of moving the FA into an OA within the regulations existed. Ash Creek is in an area NE of Lewellen and is a small spring fed creek. There are fourteen circles that pump near it in the FA area. Several people rely on Ash Creek for watering their cattle. Circles that are not under regulation are using the water and drying the creek up. There are no monitoring wells in that area, but we know that the stream flow has decreased. Does the board want to refer this problem back to the Water Resources Committee? There are areas that are not under allocation that are causing problems. This is the lowest the stream has ever been.,

Moved by Henkel, seconded by Weinreis to refer the Ash Creek issue to the Water Resources Committee for research and recommendations to the full board. Motion passed.

Ayes: Andreas, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: none

Abstain: none

Absent: Darnall

## **12. Consideration of Board Policy Changes**

### **a. Consideration of Board Absenteeism Policy**

Andreas indicated that there is no policy in our manual that govern the board for absenteeism. He indicated that a roll call will be taken to determine if a member who is absent is excused from the meeting. There have been problems with committee meetings where times and dates have been checked with members and a quorum does not attend the meeting. Action cannot be taken at Budget Committee meetings without a quorum. Board meetings are regularly scheduled for the second Tuesday of the month and there are times we are very close to not having a quorum of members present. There are issues that need to be addressed in committee before they are brought before the full board. Possibly, evening meetings for committees could be a better option. The NPNRD board of directors' handbook does not have a written policy for absenteeism. State law gives guidance for absenteeism and Andreas recommends adopting the policy to bring us into compliance with state law.

*Moved by Reuter, seconded by Henkel to put the state policy for board of directors absenteeism into effect for NPNRD board policy and to require the Board to determine whether to excuse any absence by motion made and passed after Board member roll call, to properly record attendance of members in the minutes of committee meetings, hearings, special board meetings and regular board meetings. Motion passed.*

Ayes: Andreas, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: none



Abstain: none

Absent: Darnall

### **13. Adjourn**

There being no further business, the Chairman called for a motion to adjourn.

*Motion made by Reuter, seconded by Eirich to adjourn at 3:53 pm., MDT. Motion passed.*

Ayes: Andreas, Deines, Eirich, Henkel, Lapaseotes, Reuter, Weinreis, Westphal

Nay: none

Abstain: none

Absent: Darnall